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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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45512 7590 02/26/2007 LAWRENCE CHO C/O PORTFOLIOIP P. O. BOX 52050 MINNEAPOLIS, MN 55402			EXAMINER SURYAWANSHI, SURESH	
			ART UNIT 2115	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/26/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/809,114

Applicant(s)

GOUD ET AL.

Examiner

Suresh K. Suryawanshi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/08/06 amendments.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-24 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 4-6, 9, 11-12, 14, 16, 17 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Franke et al (US Patent 6,976,112; hereinafter Franke).

4. As per claim 1, Franke discloses a method for communicating information from an operating system based blade server system environment, comprising:

transmitting the information to a service processor [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14; each processor blade has a dedicated service processor for sending and receiving commands to and from the management module]; and

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transmitting the information from the service processor to a chassis management module via a dedicated channel [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14; the management module is connected by 485 bus to each of the processor modules].

5. As per claim 11, Franke discloses a method for managing information from an operating system based environment, comprising:

determining whether the information is to be communicated to a chassis management module [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14; each processor blade has a dedicated service processor for sending and receiving commands to and from the management module and it is inherent to the system to determine first if the information is to be communicated to the management module or not; clearly unnecessary or nor related information to management module will not be sent to the management module]; and

transmitting the information to a service processor upon determining that the information is to be communicated with the chassis management module [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14; each processor blade has a dedicated service processor for sending and receiving commands to and from the management module].

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6. As per claim 16, Franke discloses an article of manufacture comprising a machine accessible medium including sequences of instructions, the sequences of instructions including instructions which when executed causes the machine to perform:

determining whether information is to be communicated to a chassis management module [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14; each processor blade has a dedicated service processor for sending and receiving commands to and from the management module and it is inherent to the system to determine first if the information is to be communicated to the management module or not; clearly unnecessary or nor related information to management module will not be sent to the management module]; and

transmitting the information to a service processor upon determining that the information is to be communicated with the chassis management module [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14; each processor blade has a dedicated service processor for sending and receiving commands to and from the management module].

7. As per claim 2, Franke discloses transmitting the information to the service processor comprises transmitting the information to an embedded controller on the service processor [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14; each processor blade has a dedicated service processor for sending and receiving commands to and from the management module; inherent to the system to have an embedded controller on the service processor].

8. As per claim 4, Franke discloses transmitting the information to the service processor comprises transmitting the information using a System Management Bus (SMBus) protocol [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14; each processor blade has a dedicated service processor for sending and receiving commands to and from the management module].

9. As per claim 5, Franke discloses that the service processor is Intelligent Platform Management Interface (IPMI) based [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14].

10. As per claim 6, Franke discloses packaging the information in a format recognizable to the management agent [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14; inherent to the system as the server blade and the management module communicate with each other].

11. As per claim 9, Franke discloses that the information is transmitted from the service processor to the chassis management module via a RS485 bus [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14; the management module is connected by 485 bus to each of the processor modules].

12. As per claim 12, Franke discloses transmitting the information to the service processor comprises transmitting the information to an embedded controller on the service processor [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14; each processor blade has a dedicated service processor for sending and receiving commands to and from the management module; inherent to the system to have an embedded controller on the service processor].

13. As per claim 14, Franke discloses transmitting the information to the service processor comprises transmitting the information using a System Management Bus (SMBus) protocol [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14; each processor blade has a dedicated service processor for sending and receiving commands to and from the management module].

14. As per claim 17, Franke discloses transmitting the information to the service processor comprises transmitting the information to an embedded controller on the service processor [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14; each processor blade has a dedicated service processor for sending and receiving commands to and from the management module; inherent to the system to have an embedded controller on the service processor].

15. As per claim 19, Franke discloses transmitting the information to the service processor comprises transmitting the information using a System Management Bus (SMBus) protocol [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14; each processor blade has a dedicated service processor for sending and receiving commands to and from the management module].

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Franke et al (US Patent 6,976,112; hereinafter Franke) in view of Yonenaga et al (US Pub 2002/0002589; hereinafter Yonenaga).

18. As per claim 21, Franke discloses the invention substantially. Franke clearly discloses transmitting the information from the service processor to a chassis management module via a dedicated channel [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14; each processor blade has a dedicated service processor for sending and receiving commands to and from the management module; the management module is connected by 485 bus to each of the processor modules].

Franke does not expressly disclose about an information identification unit to identify information. But Franke clearly discloses about a service process for sending and receiving command to and from the management module [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14].

Though not clearly disclosed, there should have been means to identify the command or information to be communicated to the management module. However, Yonenaga clearly discloses that the information identification unit is well known in the art [Fig. 6; paragraph 0047]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the

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invention was made to combine the cited references as both are directed to a method for receiving and sending information to an appropriate managing unit/module. Moreover, use of an information identification unit will clearly help in identifying if an information is meant to be sent to the management module or not.

19. Claims 3, 10, 13, 15, 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Franke et al (US Patent 6,976,112; hereinafter Franke) in view of Bolian et al (US Patent 6,968,466¹; hereinafter Bolian).

20. As per claim 3, Franke discloses the invention substantially. Franke does not expressly disclose if the embedded controller is Advance Configuration Power Interface (ACPI) based. However, Bolian clearly discloses that ACPI being the embedded controller [Fig. 2; col. 1, lines 38-57; col. 3, lines 18-34, 55-57; col. 4, lines 37-51]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as both are directed to a method for communicating information or command to the management module. Moreover, having ACPI as the embedded controller will clearly enhance the system as the system can easily control power and power related different states.

¹ Prior art cited by the examiner in the prior office action.

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21. As per claim 10, Franke discloses the invention substantially. Franke does not disclose if the information is an Advance Configuration Power Interface (ACPI) sleep state. However, Bolian clearly discloses that ACPI being the embedded controller and thus the information can be an ACPI sleep state [Fig. 2; col. 1, lines 38-57; col. 3, lines 18-34, 55-57; col. 4, lines 37-51]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as both are directed to a method for communicating information or command to the management module. Moreover, having ACPI as the embedded controller will clearly enhance the system as the system can easily control power and power related different states.

22. As per claim 13, Franke discloses the invention substantially. Franke does not expressly disclose if the embedded controller is Advance Configuration Power Interface (ACPI) based. However, Bolian clearly discloses that ACPI being the embedded controller [Fig. 2; col. 1, lines 38-57; col. 3, lines 18-34, 55-57; col. 4, lines 37-51]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as both are directed to a method for communicating information or command to the management module. Moreover, having ACPI as the embedded controller will clearly enhance the system as the system can easily control power and power related different states.

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23. As per claim 15, Franke discloses determining whether the information is to be communicated to the chassis management module [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14; each processor blade has a dedicated service processor for sending and receiving commands to and from the management module and it is inherent to the system to determine first if the information is to be communicated to the management module or not; clearly unnecessary or not related information to management module will not be send to the management module].

Franke does not disclose if the information is an Advance Configuration Power Interface (ACPI) sleep state. However, Bolian clearly discloses that ACPI being the embedded controller and thus the information can be an ACPI sleep state [Fig. 2; col. 1, lines 38-57; col. 3, lines 18-34, 55-57; col. 4, lines 37-51]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as both are directed to a method for communicating information or command to the management module. Moreover, having ACPI as the embedded controller will clearly enhance the system as the system can easily control power and power related different states.

24. As per claim 18, Franke discloses the invention substantially. Franke does not expressly disclose if the embedded controller is Advance Configuration Power Interface (ACPI) based. However, Bolian clearly discloses that ACPI being the embedded controller [Fig. 2; col. 1, lines 38-57; col. 3, lines 18-34, 55-57; col. 4, lines 37-51]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references

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as both are directed to a method for communicating information or command to the management module. Moreover, having ACPI as the embedded controller will clearly enhance the system as the system can easily control power and power related different states.

25. As per claim 20, Franke discloses determining whether the information is to be communicated to the chassis management module [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14; each processor blade has a dedicated service processor for sending and receiving commands to and from the management module and it is inherent to the system to determine first if the information is to be communicated to the management module or not; clearly unnecessary or not related information to management module will not be send to the management module].

Franke does not disclose if the information is an Advance Configuration Power Interface (ACPI) sleep state. However, Bolian clearly discloses that ACPI being the embedded controller and thus the information can be an ACPI sleep state [Fig. 2; col. 1, lines 38-57; col. 3, lines 18-34, 55-57; col. 4, lines 37-51]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as both are directed to a method for communicating information or command to the management module. Moreover, having ACPI as the embedded controller will clearly enhance the system as the system can easily control power and power related different states.

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26. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Franke et al (US Patent 6,976,112; hereinafter Franke) in view of Larson et al (US Patent 7,082,488¹; hereinafter Larson).

27. As per claim 7, Franke discloses the invention substantially. Franke does not disclose about packaging information using an Intelligent Platform Management Interface (IPMI) protocol. But a routineer in the art would know about IPMI as it is well known. However, Larson clearly discloses the well-known knowledge of IPMI in a server blade system (col. 1, lines 24-36; col. 5, lines 50-56; col. 21, lines 46-49]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as both are directed to a method for communicating information or command to the management module to and from a server blade [Fig. 1; col. 1, lines 24-36]. Moreover, the discloser of Franke would be benefited with use of IPMI because a utilized cache in the communication can be sized as multiples of a packet size of 32 bytes (e.g., 64 bytes, 96 bytes, etc.).

28. As per claim 8, Franke discloses the invention substantially. Franke does not disclose that the information is transmitted using an Intelligent Platform Management Interface (IPMI) protocol. But a routineer in the art would know about IPMI as it is well known. However, Larson clearly discloses the well-known knowledge of IPMI in a server blade system (col. 1, lines 24-36; col. 5, lines 50-56; col. 21, lines 46-49]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references

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as both are directed to a method for communicating information or command to the management module to and from a server blade [Fig. 1; col. 1, lines 24-36]. Moreover, the discloser of Franke would be benefited with use of IPMI because a-utilized cache in the communication can be sized as multiples of a packet size of 32 bytes (e.g., 64 bytes, 96 bytes, etc.).

29. Claims 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Franke et al (US Patent 6,976,112; hereinafter Franke), Yonenaga et al (US Pub 2002/0002589; hereinafter Yonenaga) and in view of Bolian et al (US Patent 6,968,466¹; hereinafter Bolian).

30. As per claim 22, Franke and Yonenaga disclose the invention substantially. Franke and Yonenaga do not expressly disclose if the embedded controller is Advance Configuration Power Interface (ACPI) based. However, Bolian clearly discloses that ACPI being the embedded controller [Fig. 2; col. 1, lines 38-57; col. 3, lines 18-34, 55-57; col. 4, lines 37-51]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as they are directed to a method for communicating information or command to the management module. Moreover, having ACPI as the embedded controller will clearly enhance the system as the system can easily control power and power related different states.

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31. As per claim 23, Franke discloses transmitting the information to the service processor comprises transmitting the information using a System Management Bus (SMBus) protocol [Fig. 1; col. 3, lines 25-32; col. 10, lines 12-14; each processor blade has a dedicated service processor for sending and receiving commands to and from the management module].

32. As per claim 24, Franke and Yonenaga disclose the invention substantially. Franke and Yonenaga do not expressly disclose about a system catalog unit. However, Bolian clearly discloses that the power management system of the server blade is compliant with ACPI and ACPI comprises a system catalog unit [Fig. 2; col. 1, lines 38-57; col. 3, lines 18-34, 55-57; col. 4, lines 37-51]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as they are directed to a method for communicating information or command to the management module. Moreover, having ACPI as the embedded controller will clearly enhance the system as the system can easily control power and power related different states.

Response to Arguments

33. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suresh K. Suryawanshi whose telephone number is 571-272-3668. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Suresh K Suryawanshi